

Portland Harbor Community Advisory Group

DRAFT: June Meeting

7/12/ 2006

Minutes by Jackie Calder

Present at meeting:

Neighborhood Associations:

Robin Plance (b) (6) St. Johns Neighborhood, CAG Chair
Administrative committee coordinator

Peter Laughingwolf (b) (6) Cathedral Park Neighborhood, CAG Treasurer

Jeanne Longley, Linnton NA

John C. Shaw

Janis P. Secunda (b) (6)

Environment:

Business:

Bill Barrett (b) (6) Waterfront Org. of Oregon (WOO) Health:

At-Large:

Jackie Calder (b) (6) Citizen

Bill McCauley no email, (b) (6) Citizen

Tom Chisolm (b) (6) Citizen

Absent:

Neighborhood Associations:

Environment:

Joe Keating (b) (6) Oregon Wildlife Federation Education and Outreach coordinator

Travis Williams travis@willamette-riverkeeper.org Willamette Riverkeeper

Business:

Steve Gunther (b) (6) Progressive Products and Services

Recreation:

Bill Egan no email, (b) (6) Oregon Bass and Panfish Club

At Large:

Others present:

Monica Patel (b) (6) Student

Sue Safford susan.safford@portofportland.com Port of Portland

Anne Summers anne.summers@portofportland.com Port of Portland
Barbara Smith Barbara@harrisandsmith.com Lower Willamette Group
Monica Kirk kirk.monica@epa.gov NPCC/PSU
Jim Anderson Anderson.jim@deq.state.or.us DEQ
Jean Rothlein rothlein@ohsu.edu CROET/OHSU
Julie Early Julie.early@state.or.us Dept. of Health Services
Matt McClincy mcclincy.matt@deq.state.or.us DEQ
Kim Cox kimc@bes.ci.portland.or.us City of Portland
Mikell O'Mealy omealy.mikell@deq.state.or.us DEQ

Judy Smith smith.judy@epa.gov EPA

Closed Session

(b) opened the meeting at 6:15 without a quorum. (b) in consensus with the members present decided to proceed with discussion of issues without a quorum noting that group could not make binding decisions.

(b) talked about the continuing problem of non-attendance and what could be done. (b) had made calls to absent members but suggested more efforts could be made to (1) encourage members to attend, (2) create a strategy to enlist new board members.

(b) discussed the groups' diverging from original goals and suggested that we talk about the need to review and reorient the CAG's focus. (b) explained that (b) believed the original goal of the CAG was to be an *information resource* for the public and in that, perspective the group had not fulfilled that aspect of our goals. (b) said because our outreach was limited so was our effectiveness in maintaining public interest and membership attendance.

(b) also brought up that some discussions had been somewhat caustic and had offended members to the point of non-attendance.

(b) (6) pointed out that without funding it would be difficult to do any proper outreach. (b) suggested ads and flyers to publicize the CAG's efforts takes more money than our present funds could handle.

(b) suggested that the CAG's discussion atmosphere changed when we quit providing food and not for the better.

Tom stated that several characteristics of the meetings had changed since we moved to the BES Lab. The original reason to move the meetings to the lab was to be more available to the residences and public most adjacent to the Portland Harbor Superfund designated site. He observed that few citizens had come to the meetings. He said we might consider if we should reconsider location of the meeting.

Robin suggested that the group should consider sharing food again. Linnton Neighborhood Association creates a different atmosphere because of "neighborly potluck" that gives it a feeling of relaxed familiarity. Jan supported the potluck idea saying that it had been a tradition but that it also netted great results such as: Good discussions, good solutions where everybody can speak and be included.

(b) said that we should re-evaluate our mission putting forth the question: Are we an advocacy group? Or, are we repository for Superfund information for the public in which case we need to make more effort to education and outreach. It would be better to hold the closed meeting until the end. (b) moved that we establish a Meeting to Review Goals.

(b) said without a quorum we cannot vote on any issues so no vote was taken.

Several suggested we need a separate meeting to review goals for:

Education & Outreach

Set up a more flexible method for conflict resolution

Greater compromise generally

(b) (6) We need to continue to speak out about the problems confronting the river.

(b) We need to publicize the meetings more to encourage public participation.

(b) We need to get more citizens to attend.

Open meeting:

Judy: After the letters to the PRP's were sent, many requested a delay to assemble a plan. The EPA granted a delay until September 27, 2006.

Bill Hangemihle—EPA Superfund negotiator explains to the PRP's how best to approach the PRP's individual problems and how to complete the process with the least possible trauma. Bill Hengemill is due in Portland in October 2006.

Jim Anderson: Next Tuesday at 6:00 pm, the DEQ will hold a meeting discussing prior costs that the DEQ incurred prior to 2002.

Robin asked that introductions be made at this time.

Charles Landman was the guest speaker. His area of expertise and position in the DEQ concerns Brownfields and their liabilities.

He is part of the *Land Quality Division of DEQ* where he is a policy advisor. His job focuses on suitable clean-up of contaminated properties.

If you buy a property that is contaminated then you are liable for the problems it creates. The State assumes that you as a buyer have done a thorough *due diligence* to discover the characteristics of the property.

As of 2002, buyers can be eligible for a *bona fide Prospective Purchase Agreement*. If buyers do enough *due diligence* according to the DEQ, then you are not liable. Buyers must do the appropriate research on the property.

Oregon has a Volunteer Program where a property holder can plan and produce a clean-up project for their property. If the DEQ inspects it and finds no further contamination, then they may issue a *Nor Further Action* letter that applies to the specific problem that had been cleaned up.

“Safe for intended use” is a designation that is given where a contamination for a property is not necessarily clean to levels where humans may reside but if the property is an industrial warehouse with lower hours of use by humans than the property can be used for that specific purpose without as scrupulous of a clean-up.

The best defense for liability is clean.

Additional notes regarding Charles Landsman’s presentation are available upon request.

Peter: Is each polluted property documented?.

Charlie: The ECSI database has all of the info on file for all contaminated properties that the DEQ is aware.

Robin: What happens when McCormick & Baxter is sold?

Charlie: The buyer may enter a *Prospective Purchaser Agreement* but all disposal of contamination must be addressed prior to the sale.

The State pays 10% of construction costs and full cost of monitoring changes or leakages of the McCormick & Baxter property.

Robin: Thank you for coming Charlie. We, the CAG appreciate your taking the time to speak to us.

Judy: Arkema Update was sent to all via e-mail. Arkema’s Draft Work Plan has been submitted. The EPA has not approved the Work Plan and finds it unacceptable as it is proposed. EPA has sent 400 comments

for suggested changes in the plan. Negotiations continue regarding whether Arkema should approach the project with emphasis on speed vs quality. Arkema will have a new Work Plan by the end of the summer. Arkema information is on the Superfund website. . comments will be linked.

Future speakers and/or discussion topics for the CAG are scheduled tentatively as follows:

September, 2006—Corps of Engineers

October, 2006—Arkema

November, 2006—Bill Hangemihle

Mikell O'Mealy suggested that the CAG should be updated on the *DEQ's Source Control*.

Several members have asked that we make our meeting a potluck.

If you can please bring a contribution to the potluck.

Robin adjourned the meeting at 8:45.